

REMARKS

Claims 1, 3, 10-16, 18-19, 25-27, and 33-38 are pending. Claims 4 and 20 have been canceled without prejudice as being directed to non-elected subject matter. Claims 28 and 30-32 have been canceled without prejudice to pursuing the cancelled subject matter in the future. In addition, claims 1, 18-19, and 27 have been amended without prejudice or disclaimer to remove non-elected subject matter. Applicants reserve the right to pursue the non-elected subject matter in the future. In addition, claims 1 and 25-26 have been amended to recite only substituents containing proper valences. Support for these amendments can be found in original claims 1 and 25-26. Claims 2, 5-9, 17, 21-24, and 29 were previously canceled.

Entry of these amendments is proper under 37 C.F.R. § 116 because the amendments place the application in condition for allowance (or removes issues for appeal), and the amendments require only cursory review. *See* 37 C.F.R. § 116 and MPEP § 714.13. Accordingly, applicants request that these amendments be entered and favorably considered. No new matter has been added into the claims.

Election/Restrictions

Applicants have amended claims 1, 18-19, and 27 to remove non-elected subject matter (*i.e.*, compounds wherein X^5 is other than a bond). In addition, claims 4 and 20 have been cancelled as being drawn to non-elected subject matter. Applicants reserve their right to rejoinder of claims 33-38 pursuant to MPEP § 806.05(h).

Response to Rejection Under 35 U.S.C. § 112, 2nd Paragraph

Claims 1, 3, 10-16, 18-19, 25-26, 28 and 30-31 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which application regards as the invention. Specifically, the Office Action states that the limitations of R^2 and R^3 , wherein the alkyl group is C_0 , is unclear because such groups have an improper valence.

Claims 28 and 30-31 have been cancelled. Furthermore, applicants have amended claims 1 and 25-26 so that all of the substituents recited therein contain proper valences. Therefore, this rejection no longer applies and should be withdrawn.

Response to Rejection Under 35 U.S.C. § 112, 1st Paragraph

Claims 28 and 30-31 have been rejected under 35 U.S.C. § 112, first paragraph for lacking enablement. According to the Office Action, the specification, while being enabling for:

- (1) a compound of formula I, and
- (2) a pharmaceutical composition thereof comprising a therapeutically effective, but not preventatively effective, amount of a compound of formula I,

does not reasonably provide enablement for:

- (1) a pharmaceutical composition comprising a preventatively effective amount of a compound of formula I,
- (2) a compound of formula I for use in therapy, or
- (3) a compound of formula I for use in the treatment or prevention of mGluR 5 mediated disorders.

Although applicants do not agree with the rejection, and solely to expedite prosecution, they have cancelled claims 28 and 30-31 without prejudice to pursuing the cancelled subject matter in the future. Accordingly, this rejection no longer applies and should be withdrawn.

Allowable Subject Matter

Applicants thank the Examiner for indicating that claim 27 would be allowable if rewritten in independent form. Applicants have rewritten claim 27 so that it is in independent form. Accordingly, this objection no longer applies and should be withdrawn.

In view of the above, consideration and allowance are respectfully solicited.

In the event the Examiner believes an interview might serve in any way to advance the prosecution of this application, the undersigned is available at the telephone number noted below.

The Office is authorized to charge any necessary fees to Deposit Account No. 22-0185.

Applicants are submitting a petition and paying the fee for a two-month extension of time with this response. Applicants believe no additional fee is due. However, if a fee is due, please charge our Deposit Account No. 22-0185, under Order No. 15652-14500 from which the undersigned is authorized to draw.

Dated: January 10, 2011

Respectfully submitted,

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